

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31013 of 2023

Arising Out of PS. Case No.-424 Year-2022 Thana- BAKHTIARPUR District- Saharsa

1. JAGO SHARMA SON OF LATE MOTI SHARMA R/O-WARD NO. 1, ALMA, P.S.-SIMRI, BAKHTIYARPUR, DISTT.-SAHARSA
2. RAMBALAK YADAV @ BICHHRU @ BICHHRU YADAV SON OF JAGAT NARAYAN YADAV R/O-WARD NO. 1, ALMA, P.S.-SIMRI BAKHTIYARPUR, DISTT.-SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2012.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

Allegation is of recovery of 15 litres of liquor from the backside of the house of Jago Sharma (petitioner no. 1).

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioner



but since the recovery was made from a place near the house of Jago Sharma (petitioner no. 1), as such, the petitioners came to be implicated, when admittedly they are persons with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Simri Bakhtiyarpur P.S. Case No. 424 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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